

Let's Talk: Assisted Living

Department for Aging
and Independent Living

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Special Points of Interest:

- Employee has multiply identities;
- Owner has to use bolt cutters to access records;
- Next DAIL training Oct. 7, 2009 in E-Town
- Pandemic Flu Summit Sept. 3, 2009 in Frankfort

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Identity Theft; It happens even in Kentucky

Identity theft by unscrupulous individuals set on obtaining money, credit, or goods on someone else's dime is a widely discussed concern, especially for seniors. Assisted Living Communities throughout Kentucky strive to protect client confidentiality as one means of thwarting identity theft in this vulnerable population. However, there is another side to impersonation of this sort against which many Assisted Living Communities may feel immune... the threat of employees with multiple identities or aliases applying and being hired for employment within Assisted Living Communities.

A recent complaint spurred an investigation of a long-standing employee at one of Kentucky's experienced Assisted Living Communities. This employee was originally hired to perform marketing for several communities with the same owner, but subsequently became acting Director of one of the ALCs. One element of the complaint alleged that the Director was falsely representing herself as a RN, including signing paperwork using RN credentials. In addition, the complainant reported that the acting Director was

administering medications and performing glucose testing at the ALC, and falsifying Functional Needs Assessments so that certain clients appeared 'on-paper' as being appropriate for assisted-living. The complainant also informed DAIL that the Director was leaving this position and returning to her marketing position for the ALC.

During a site visit from DAIL concerning the complaint, the owner of the ALC attempted to contact this employee numerous times, as she had the only key to the locked client files. However, the employee did not respond. The owner, using bolt cutters, obtained access to the filing cabinet. DAIL staff reviewed every client file that was on-site, and saw every client on-site at the ALC. There was a client's file that was missing from the ALC and later found to be in the possession of this employee.

Functional Needs Assessments did not reflect some clients' actual level of functioning. Further, it was discovered that the employee had placed certain documentation into large envelopes, sealed them

and marked them as 'Confidential'. A review of these documents revealed that the employee had signed her name, with RN credentials to healthcare contracts on behalf of at least one client. Interviews with ALC staff revealed that the employee did in fact administer medications by placing them from containers into clients' hands, and even directly into various clients' mouths. Staff also disclosed that the employee had administered glucose testing, and administered medications for breathing treatments. Staff further stated that the employee directed ALC staff to administer medications and glucose testing.

Despite the fact that this employee was no longer acting as Director, and a new Director had been hired, per KRS 194A.709, DAIL notified the Office of Inspector General that this employee had been providing health services and instructing ALC staff to do likewise. Further, DAIL notified the Kentucky Board of Nursing regarding the employee impersonating a RN. Subsequently the ALC owner fired the employee. Follow-up with the ALC owner revealed that the employee had multiple aliases, at least two social security numbers, and was under investigation by county law enforcement for actions unrelated to the ALC. DAIL staff received further information from the ALC owner (continued on page 2)

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Identity Theft Continued

that the employee stole a laptop computer from the ALC as well as four blank checks, which she later cashed at various retailers. Criminal investigations are now underway in Kentucky and Indiana regarding this former ALC employee.

It is important to note that the ALC owner had performed the required criminal background check of this employee, however the name and social security number she provided to him revealed no criminal history. Further, the former employee's actions at the ALC were completely unknown to the ALC owner.

Staff revealed that if they complained about violations that they would be fired, or if family members complained then clients would be moved. The owner wrote, "Unfortunately it has become apparent to the ownership and management... that [the former employee] has consistently lied and deceived both management and clientele... This deception includes misleading the ownership and management... regarding the proper training and oversight of staff, especially with respect to clients' self-administration of medications." The owner further stated, "You hire

someone to do a job, do the required checks, and for all intents and purposes it appears that the job is being done. Then you find out something like this. I was completely unaware. It makes you question everything."

The ALC owner and new Director have been in the process of reviewing all client and personnel files, and retraining all current staff regarding proper policies and procedures. The owner expressed that he now realizes that he must be more diligent in providing oversight to his ALCs and cannot completely rely on the word of the manager / administrator.

Next Department Sponsored Training

The next DAIL sponsored ALC training is being held on October 7, 2009. We have made arrangements with the Pritchard Community Center located at 404 S. Mulberry Street, Elizabethtown, KY (270) 765-5551. We will

be utilizing their training center and have tables and chair for the participants to use. The facility also allows for participants to have refreshments in the room. It is located on the main thoroughfare in E-Town so many restaurants are

available for lunch. DAIL will be sending out an electronic registration form next week. Please complete one form for each person attending and electronically send or fax back to Amy Moore at amy.moore@ky.gov or fax to (502) 564-4595.

H1N1 (Swine Flu)

Remember the Governors Pandemic Flu Summit is scheduled for Sept. 3, 2009 at the Frankfort Convention Center. I sent out the email regarding this event a couple of weeks ago but just in case you have misplaced that information the link to register is <http://chfs.ky.gov/panf>

[lusummit09](#) . The department would also like to request that if you have an outbreak of any infectious disease to please notify us along with the health department. We do not want your certification reviewer to show up during an outbreak and possibly spread it to other communities.